

**SECTION 01575N**

**TEMPORARY ENVIRONMENTAL CONTROLS**

**06/02**

**PART 1 GENERAL**

**1.1 REFERENCES**

The publications listed below form a part of this specification to the extent referenced. The publications are referred to in the text by the basic designation only.

**U.S. NATIONAL ARCHIVES AND RECORDS ADMINISTRATION ( NARA )**

29 CFR 1910	Occupational Safety and Health Standards
29 CFR 1910.1200	Hazard Communication
40 CFR 112	Oil Pollution Prevention
40 CFR 122.26	EPA National Pollutant Discharge Elimination System Permit Regulations
40 CFR 173	Title
40 CFR 241	Guidelines for Disposal of Solid Waste
40 CFR 243	Guidelines for the Storage and Collection of Residential, Commercial, and Institutional Solid Waste
40 CFR 258	Subtitle D Landfill Requirements
40 CFR 260	Hazardous Waste Management Systems: General
40 CFR 261	Identification and Listing of Hazardous Waste
40 CFR 262	Generators of Hazardous Waste
40 CFR 263	Transporters of Hazardous Waste
40 CFR 264	Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities
40 CFR 265	Interim Status Standard for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities
40 CFR 266	Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities

40 CFR 268	Land Disposal Restrictions
40 CFR 270	EPA Administrated Permit Programs: The Hazardous Waste Permit Program
40 CFR 271	Requirements for Authorization of State Hazardous Waste Programs
40 CFR 272	Approved State Hazardous Waste Management Programs
40 CFR 273	Universal Waste Management
40 CFR 279	Used Oil Regulations
40 CFR 280	Owners and Operators of Underground Storage Tanks
40 CFR 300	National Oil and Hazardous Substances Pollution Contingency Plan
40 CFR 355	Emergency Planning and Notification
40 CFR 372-SUBPART D	EPA Toxic Chemical Release Reporting Regulations
40 CFR 716	Health and Safety Data Reporting
40 CFR 761	Polychlorinated Biphenyls (PCBs) Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions
49 CFR 173	Shipments and Packagings
49 CFR 178	Packagings

#### **U.S. ENVIRONMENTAL PROTECTION AGENCY ( EPA )**

EPA SW-846( 1996 )	Evaluating Solid Waste ( Physical/ Chemical Methods )
EPA 832-R-92-005	Storm Water Management for Construction Activities

## **1.2 DEFINITIONS**

### **1.2.1 Sediment**

Soil and other debris that have eroded and have been transported by runoff water or wind.

### **1.2.2 Solid Waste**

Garbage, refuse, debris, sludge, or other discharged material ( except hazardous waste as defined in paragraph entitled "Hazardous Waste" or hazardous debris as defined in paragraph entitled "Hazardous Debris" ), including solid, liquid, semisolid, or

contained gaseous materials resulting from domestic, industrial, commercial, mining, or agricultural operations. Material not regulated as solid waste are: nuclear source or byproduct materials regulated under the Federal Atomic Energy Act of 1954 as amended; suspended or dissolved materials in domestic sewage effluent or irrigation return flows, or other regulated point source discharges; regulated air emissions; and fluids or wastes associated with natural gas or crude oil exploration or production.

a. Green waste: The vegetative matter from landscaping, land clearing and grubbing, including, but not limited to, grass, bushes, scrubs, small trees and saplings, tree stumps and plant roots. Marketable trees, grasses and plants that are indicated to remain, be re-located, or be re-used are not included.

b. Surplus soil: Existing soil that is in excess of what is required for this work, including aggregates intended, but not used, for on-site mixing of concrete, mortars and paving. Contaminated soil meeting the definition of hazardous material or hazardous waste is not included.

c. Inert construction and demolition debris: Broken or removed concrete, masonry, and rock asphalt paving; ceramics; roofing paper and shingles. Inert materials [ may ][ may not ] be re-inforced with or contain ferrous wire, rods, accessories and weldments.

d. Wood: Dimension and non-dimension lumber, plywood, chipboard, hardboard. Treated and/or painted wood that meets the definition of lead contaminated or lead based contaminated paint is not included.

e. Scrap metal: Scrap and excess ferrous and non-ferrous metals such as re-inforcing steel, structural shapes, pipe and wire that are recovered or collected and disposed of as scrap. Scrap metal meeting the definition of hazardous material or hazardous waste is not included.

f. Paint cans: Metal cans that are empty of paints, solvents, thinners and adhesives. If permitted by the paint can label, a thin dry film may remain in the can.

g. Recyclables: Materials, equipment and assemblies such as doors, windows, door and window frames, plumbing fixtures, glazing and mirrors that are recovered and sold as recyclable. Metal meeting the definition of lead contaminated or lead based paint contaminated [ may ][ may not ] be included as recyclable if sold to a scrap metal company. Paint cans [ may ][ may not ] be included as recyclable if sold to a scrap metal company.

### **1.2.3 Debris**

Non-hazardous solid material generated during the construction, demolition, or renovation of a structure which exceeds [ 60 mm ] [ 2.5 inch ] particle size that is: a manufactured object; plant or animal matter; or natural geologic material ( e.g. cobbles and boulders ). A mixture of debris and other material such as soil or sludge is also subject to regulation as debris if the mixture is comprised primarily of debris by volume, based on visual inspection.

#### **1.2.4 Hazardous Debris**

As defined in paragraph entitled "Debris" of this section, debris that contains listed hazardous waste ( either on the debris surface, or in its interstices, such as pore structure ) per 40 CFR 261; or debris that exhibits a characteristic of hazardous waste per 40 CFR 261.

#### **1.2.5 Chemical Wastes**

This includes salts, acids, alkalies, herbicides, pesticides, and organic chemicals.

#### **1.2.6 Garbage**

Refuse and scraps resulting from preparation, cooking, dispensing, and consumption of food.

#### **1.2.7 Hazardous Waste**

Hazardous waste as defined in 40 CFR 261 or as defined by applicable State and local regulations.

#### **1.2.8 Oily Waste**

Petroleum products and bituminous materials.

#### **1.2.9 Regulated Waste**

Those solid waste that have specific additional Federal, state, or local controls for handling, storage, or disposal.

#### **1.2.10 Class I Ozone Depleting Substance ( ODS )**

Class I ODS is defined in Section 602(a) of The Clean Air Act and includes the following chemicals:

chlorofluorocarbon-11 ( CFC-11 )  
chlorofluorocarbon-12 ( CFC-12 )  
chlorofluorocarbon-13 ( CFC-13 )  
chlorofluorocarbon-111 ( CFC-111 )  
chlorofluorocarbon-112 ( CFC-112 )  
chlorofluorocarbon-113 ( CFC-113 )  
chlorofluorocarbon-114 ( CFC-114 )  
chlorofluorocarbon-115 ( CFC-115 )  
chlorofluorocarbon-211 ( CFC-211 )  
chlorofluorocarbon-212 ( CFC-212 )  
chlorofluorocarbon-213 ( CFC-213 )  
chlorofluorocarbon-214 ( CFC-214 )  
chlorofluorocarbon-215 ( CFC-215 )  
chlorofluorocarbon-216 ( CFC-216 )  
chlorofluorocarbon-217 ( CFC-217 )  
halon-1211  
halon-1301  
halon-2402  
carbon tetrachloride

methyl chloroform

#### **1.2.11 Hazardous Materials**

Any material that is regulated as a hazardous material in accordance with 49 CFR 173, requires a Material Safety Data Sheet ( MSDS ) in accordance with 29 CFR 1910.1200, or which during end use, treatment, handling, storage, transportation or disposal meets or has components which meet or have the potential to meet the definition of a Hazardous Waste in accordance with 40 CFR 261. Throughout this specification, hazardous material includes hazardous chemicals.

#### **1.3 SUBMITTALS**

Submit the following in accordance with Section 01330, "Submittal Procedures."

##### Preconstruction Submittals

Environmental protection plan; G

Storage Inventory Form; G

[ Dirt and dust control plan; G ]

[ Environmental Quality Board Permits; G ]

##### Test Reports

Laboratory analysis

##### Closeout Submittals

Some of the records listed below are also required as part of other submittals. For the "Records" submittal, maintain on-site a separate three-ring Environmental Records binder and submit at the completion of the project. Make separate parts to the binder corresponding to each of the applicable sub items listed below.

Preconstruction survey

Solid waste disposal permit

Waste determination documentation

Disposal documentation for hazardous and regulated waste

Contractor 40 CFR employee training records

Regulatory notification

[ Erosion and sediment control inspection reports ]

Solid waste disposal report

## Contractor Hazardous Material Inventory Log; G

### [ 1.4 DIRT AND DUST CONTROL PLAN

Submit truck and material haul routes along with a plan for controlling dirt, debris, and dust on base roadways. The Design-Build Contractor's Architect/Engineer of Record shall identify truck and material haul routes into the Design Documents. As a minimum, identify in the plan the subcontractor and equipment for cleaning along the haul route and measures to reduce dirt, dust, and debris from roadways. ]

### 1.5 LABORATORY ANALYSIS

Submit a copy of a laboratory analysis of solid waste and debris with the potential of becoming classified as a hazardous waste ( i.e., abrasive/sand blasting debris, etc. ). Waste stream determinations are required at the point of generation and must sufficiently document whether the waste will be a solid waste, hazardous waste, or Resource Conservation and Recovery Act ( RCRA ) exempt waste. Determinations must use EPA approved methods and provide written rationale for whether the waste is classified as hazardous or non-hazardous. The Contractor will bear the cost of the waste stream determinations, and the Contracting Officer reserves the right to request waste stream determinations on questionable waste streams.

### 1.6 REPORTS

#### 1.6.1 Preconstruction Survey

Perform a preconstruction survey of the project site with the Contracting Officer, and take photographs showing existing environmental conditions in and adjacent to the site. Submit a report for the record.

#### 1.6.2 Solid Waste Disposal Permit

Submit one copy of a [ State ][ and ][ local ] permit or license showing such [ agency's ][ agencies' ] approval of the disposal plan before transporting wastes off Government property.

#### 1.6.3 Waste Determination Documentation

The Contractor will complete a Waste Determination form ( provided at the pre-construction conference ) for all contractor derived wastes to be generated. The waste determination must be based upon either a constituent listing from the manufacturer used in conjunction with consideration of the process by which the waste was generated, EPA approved analytical data, or laboratory analysis ( Material Safety Data Sheets ( MSDS ) by themselves are not adequate ). All support documentation must be attached to the Waste Determination form. As a minimum, a Waste Determination form must be provided for the following wastes ( this listing is not all inclusive ): oil and latex based painting and caulking products,

solvents, adhesives, aerosols, petroleum products, and all containers of the original materials.

#### **1.6.4 Disposal Documentation for Hazardous and Regulated Waste**

Submit a copy of the applicable EPA [ and State ] permit(s), manifest(s), or license(s) for transportation, treatment, storage, and disposal of hazardous and regulated waste by permitted facilities.

#### **1.6.5 Contractor 40 CFR Employee Training Records**

Prepare and maintain employee training records throughout the term of the contract meeting applicable 40 CFR requirements. [ The Contractor will ensure every employee completes a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures compliance with Federal, State and local regulatory requirements for RCRA Large Quantity Generator. The Contractor will provide a Position Description for each employee, by subcontractor, based on the Davis-Bacon Wage Rate designation or other equivalent method, evaluating the employee's association with hazardous and regulated wastes. This Position Description will include training requirements as defined in 40 CFR 265 for a Large Quantity Generator facility. ] Submit these training records to the Contracting Officer at the conclusion of the project, unless otherwise directed.

#### **1.6.6 Regulatory Notification**

The Contractor is responsible for all regulatory notification requirements in accordance with Federal, State and local regulations. The Contractor will forward copies to the Contracting Officer prior to commencement of work activities. Typically, regulatory notifications must be provided for the following ( this listing is not all inclusive ): demolition, renovation, NPDES defined site work, remediation of controlled substances ( asbestos, hazardous waste, lead paint ).

#### **[ 1.6.7 Erosion and Sediment Control Inspection Reports**

Submit "Erosion and Sediment Control Inspection Reports" ( form provided at the pre-construction conference ) to the Contracting Officer once every 7 calendar days and within 24 hours of a storm event that produces [ 12 mm ][ 0.5 inch ] or more of rain. ]

#### **1.6.8 Solid Waste Disposal Report**

Monthly the Contractor will submit a solid waste disposal report to the Contracting Officer. For each waste, the report will state the classification ( using the definitions provided in this section ), amount, location, and name of the business receiving the solid waste. The Contractor will include copies of the waste handling facilities' weight tickets, receipts, bills of sale, and other sales documentation. In lieu of sales documentation, the Contractor may submit a statement indicating the disposal location for the solid waste which is signed by an officer of the Contractor firm authorized to legally obligate or bind the firm. The sales

documentation or Contractor certification will include the receiver's tax identification number and business, EPA or State registration number, along with the receiver's delivery and business addresses and telephone numbers. For each solid waste retained by the Contractor for his own use, the Contractor will submit on the solid waste disposal report the information previously described in this paragraph. Prices paid or received will not be reported to the Contracting Officer unless required by other provisions or specifications of this Contract or public law.

#### **1.7 CLASS I ODS PROHIBITION**

Class I ODS as defined and identified herein will not be used in the performance of this contract, nor be provided as part of the equipment [ , except [ \_\_\_\_\_ ] ]. This prohibition will be considered to prevail over any other provision, specification, drawing, or referenced documents.

#### **1.8 ENVIRONMENTAL PROTECTION REQUIREMENTS**

Provide and maintain, during the life of the contract, environmental protection as defined. Plan for and provide environmental protective measures to control pollution that develops during normal construction practice. Plan for and provide environmental protective measures required to correct conditions that develop during the construction of permanent or temporary environmental features associated with the project. Comply with Federal, State, and local regulations pertaining to the environment, including water, air, solid waste, hazardous waste and substances, oily substances, and noise pollution.

Environmental Brief: Attend an environmental brief to be included in the pre-construction meeting. Provide the following information: types, quantities, and use of hazardous materials that will be brought onto the activity; types and quantities of wastes/wastewater that may be generated during the contract.

##### **1.8.1 Facility Hazardous Waste Generator Status**

[ \_\_\_\_\_ ] is designated as a [ Large Quantity Generator ][ Small Quantity Generator ][ Conditionally Exempt-Small Quantity Generator ]. All work conducted within the boundaries of this activity must meet the regulatory requirements of this generator designation. The Contractor will comply with all provisions of Federal, State and local regulatory requirements applicable to this generator status regarding training and storage, handling, and disposal of all construction derived wastes.

##### **1.8.2 Licenses and Permits**

Obtain licenses and permits pursuant to the "Permits and Responsibilities" FAR Clause except for the following permits which will be obtained by the Contracting Officer:

a. [ \_\_\_\_\_ ]

b. [ \_\_\_\_\_ ]



For permits obtained by the Contracting Officer, whether or not required by the permit, the Contractor is responsible to perform quality control inspections of the work in progress, and to submit notifications and certifications to the applicable regulatory agency, via the Contracting Officer, that the work conforms to the contract and permit requirements. The inspections and certifications will be provided through the services of a Professional Engineer, registered in the State where the work is being performed. As a part of the quality control plan, which is required to be submitted for approval by the quality control section, provide a sub-item containing the name, P.E. registration number, address, and telephone number of the professional engineer(s) who will be performing the inspections and certifications for each permit listed above.

#### **1.8.3 Contractor Liabilities for Environmental Protection**

The Contractor is advised that this project and the station are subject to Federal, State, and local regulatory agency inspections to review compliance with environmental laws and regulations. The Contractor will fully cooperate with any representative from any Federal, State or local regulatory agency who may visit the job site and will provide immediate notification to the Contracting Officer, who will accompany them on any subsequent site inspections. The Contractor will complete, maintain, and make available to the Contracting Officer, station, or regulatory agency personnel all documentation relating to environmental compliance under applicable Federal, State and local laws and regulations. The Contractor will immediately notify the Contracting Officer if a Notice of Violation ( NOV ) is issued to the Contractor.

The Contractor will be responsible for all damages to persons or property resulting from Contractor fault or negligence as well as for the payment of any civil fines or penalties which may be assessed by any Federal, State or local regulatory agency as a result of the Contractor's or any subcontractor's violation of any applicable Federal, State or local environmental law or regulation. Should a Notice of Violation ( NOV ), Notice of Noncompliance ( NON ), Notice of Deficiency ( NOD ), or similar regulatory agency notice be issued to the Government as facility owner/operator on account of the actions or inactions of the Contractor or one of its subcontractors in the performance of work under this contract, the Contractor will fully cooperate with the Government in defending against regulatory assessment of any civil fines or penalties arising out of such actions or inactions.

#### **[ 1.9 ENVIRONMENTAL MANAGER**

The Contractor will appoint in writing an Environmental Manager for the project site. The Environmental Manager will be directly responsible for coordinating contractor compliance with Federal, State, local, and station requirements. The Environmental Manager will ensure compliance with Hazardous Waste Program requirements ( including hazardous waste handling, storage, manifesting, and disposal ); implement the Environmental Protection Plan; ensure that all environmental permits are obtained, maintained, and closed out; ensure compliance with Storm Water Program Management requirements;

ensure compliance with Hazardous Materials ( storage, handling, and reporting ) requirements; and coordinate any remediation of regulated substances ( lead, asbestos, PCB transformers ). This can be a collateral position; however the person in this position must be trained to adequately accomplish the following duties: ensure waste segregation and storage compatibility requirements are met; inspect and manage Satellite Accumulation areas; ensure only authorized personnel add wastes to containers; ensure all Contractor personnel are trained in 40 CFR requirements in accordance with their position requirements; coordinate removal of waste containers; and maintain the Environmental Records binder and required documentation, including environmental permits compliance and close-out. ]

#### **1.10 ENVIRONMENTAL PROTECTION PLAN**

Five days after the award of contract, the Contractor and his Architect/Engineer of Record will meet with the Contracting Officer to discuss the proposed Environmental Protection Plan and develop a mutual understanding relative to the details of environmental protection, including design and construction measures for protecting natural resources, required reports, and other measures to be taken. The Environmental Protection Plan will be submitted in the following format and will, at a minimum, address the following elements ( also refer to paragraph entitled "Protection of Natural Resources" in this section):

##### **a. Description of the Environmental Protection Plan**

(1) General overview and purpose

(2) General site information

[ (3) A letter signed by an officer of the firm appointing the Environmental Manager and stating that he/she is responsible for managing and implementing the Environmental Program as described in this contract. Include in this letter the Environmental Manager's authority to direct the removal and replacement of non-conforming work. ]

##### **b. Protection of Natural Resources**

(1) Land resources

(2) Tree protection

(3) Replacement of damaged landscape features

(4) Temporary construction

(5) Stream crossings

(6) Fish and wildlife resources

(7) Wetland areas

##### **c. Protection of Historical and Archaeological Resources**

(1) Objectives

(2) Methods

d. Storm Water Management and Control

(1) Ground cover

(2) Erodible soils

(3) Temporary measures

(a) Mechanical retardation and control of runoff

(b) Vegetation and mulch

[ (4) Storm Water Pollution Prevention Measures and Notice of Intent 40 CFR 122.26, EPA 832-R-92-005. Provide a "Storm Water Pollution Prevention Plan" ( SWPPP ) for the project. The SWPPP will meet the requirements of the [ EPA ][ State of [ \_\_\_\_\_ ] ] general permit for storm water discharges from construction sites. Submit the SWPPP along with any required Notice of Intents, Notice of Termination, and appropriate permit fees, via the Contracting Officer, to the appropriate [ Federal ][ State ] agency for approval, a minimum of 14 calendar days prior to the start of construction. A copy of the approved SWPPP will be kept at the construction on-site office, and continually updated as regulations require to reflect current site conditions.

(a) Identify potential sources of pollution which may be reasonably expected to affect the quality of storm water discharge from the site.

(b) Describe and ensure implementation of practices which will be used to reduce the pollutants in storm water discharge associated with industrial activity at the construction site.

(c) Ensure compliance with terms of [ EPA ][ state ] general permit for storm water discharge.

(d) Select applicable management practices from EPA 832-R-92-005.

(e) Provide completed copy of "Notice of Intent" and "Notice of Termination" except for effective date. ]

e. Prevention of Releases to the Environment

(1) Procedures to prevent releases to the environment

(2) Notifications in the event of a release to the environment

f. Protection of the Environment from Waste Derived from Contractor Operations

(1) Control and disposal of solid and sanitary waste

(2) Control and disposal of hazardous waste ( Hazardous Waste Management Section )

This item will consist of the management procedures for all hazardous waste to be generated. The elements of those procedures will coincide with the Activity Hazardous Waste Management Plan. A copy of the Activity Hazardous Waste Management Plan will be provided by the Contracting Officer. As a minimum, include the following:

- (a) Procedures to be employed to ensure a written waste determination is made for appropriate wastes which are to be generated;
- (b) Sampling/analysis plan;
- (c) Methods of hazardous waste accumulation/storage ( i.e., in tanks and/or containers );
- (d) Management procedures for storage, labeling, transportation, and disposal of waste ( treatment of waste is not allowed unless specifically noted );
- (e) Management procedures and regulatory documentation ensuring disposal of hazardous waste complies with Land Disposal Restrictions ( 40 CFR 268 );
- (f) Management procedures for recyclable hazardous materials such as lead-acid batteries, used oil, and the like;
- (g) Used oil management procedures in accordance with 40 CFR 279;
- (h) Pollution prevention\hazardous waste minimization procedures;
- (i) Plans for the disposal of hazardous waste by permitted facilities;
- (j) Procedures to be employed to ensure all required employee training records are maintained.

**1.10.1 Environmental Protection Plan Review**

Fourteen days after the environmental protection meeting, submit the proposed Environmental Protection Plan for further discussion, review, and approval. Commencement of work will not begin until the environmental protection plan has been approved.

**1.11 UNFORESEEN HAZARDOUS OR REGULATED MATERIAL**

[ All known hazardous or regulated materials shall be identified by the Contractor's Architect/Engineer Designer of Record in the contract design documents prepared by the Designer of Record. ] If material that is not indicated in the contract design documents is encountered that may be dangerous to human health upon disturbance

during construction operations, stop that portion of work and notify the Contracting Officer immediately. Intent is to identify materials such as PCB, lead paint, mercury, petroleum products, and friable and nonfriable asbestos.

If the hazardous material is discovered in a location above the first floor line of a facility being demolished or renovated, identification, classification, manifesting, removal and disposal of the hazardous material shall be accomplished at the Contractor's expense.

If the hazardous material is discovered underground ( unforeseen ), within [ 14 ][ \_\_\_\_\_ ] calendar days the Government will determine if the material is hazardous. If the material is not hazardous or poses no danger, the Government will direct the Contractor to proceed without change. If the material is hazardous and handling of the material is necessary to accomplish the work, the Government will issue a modification pursuant to "FAR 52.243-4, Changes" and "FAR 52.236-2, Differing Site Conditions."

#### **1.12 CONTRACTOR HAZARDOUS MATERIAL INVENTORY LOG**

Submit the "Contractor Hazardous Material Inventory Log" ( copy at end of section ), which provides information required by ( EPCRA Sections 312 and 313 ) along with corresponding Material Safety Data Sheets ( MSDS ) to the Contracting Officer at the start and at the end of construction ( 30 days from final acceptance ), and update no later than January 31 of each calendar year during the life of the contract. Documentation for any spills/releases, environmental reports or off-site transfers may be requested by the Contracting Officer.

### **PART 2 PRODUCTS**

Not used.

### **PART 3 EXECUTION**

#### **3.1 PROTECTION OF NATURAL RESOURCES**

Preserve the natural resources within the project boundaries and outside the limits of permanent work. Restore to an equivalent or improved condition upon completion of work. Confine construction activities to within the limits of the work indicated or specified. Designation of construction limits and construction staging areas shall be included in Design Documents prepared by the Contractor's Architect/Engineer Designer of Record. [ Conform to the national permitting requirements of the Clean Water Act. ]

##### **3.1.1 Land Resources**

Except in areas to be cleared, do not remove, cut, deface, injure, or destroy trees or shrubs without the Contracting Officer's permission. Do not fasten or attach ropes, cables, or guys to existing nearby trees for anchorages unless authorized by the Contracting Officer. Where such use of attached ropes, cables, or

guys is authorized, the Contractor will be responsible for any resultant damage.

#### **3.1.1.1 Protection of Trees**

Protect existing trees which are to remain and which may be injured, bruised, defaced, or otherwise damaged by construction operations. Remove displaced rocks from uncleared areas. By approved excavation, remove trees with 30 percent or more of their root systems destroyed.

#### **3.1.1.2 Replacement**

Remove trees and other landscape features scarred or damaged by equipment operations, and replace with equivalent, undamaged trees and landscape features. Obtain Contracting Officer's approval before replacement.

### **[ 3.1.2 Water Resources**

#### **3.1.2.1 Stream Crossings**

The Contracting Officer's approval is required before any equipment will be permitted to ford live streams. In areas where frequent crossings are required, install temporary culverts or bridges. Obtain Contracting Officer's approval prior to installation. Remove temporary culverts or bridges upon completion of work, and repair the area [ to its original condition ].

#### **3.1.2.2 Oily and Hazardous Substances**

Prevent oil or hazardous substances from entering the ground, drainage areas, or navigable waters. In accordance with 40 CFR 112, surround all temporary fuel oil or petroleum storage tanks with a temporary berm or containment of sufficient size and strength to contain the contents of the tanks, plus 10 percent freeboard for precipitation. The berm will be impervious to oil for 72 hours and be constructed so that any discharge will not permeate, drain, infiltrate, or otherwise escape before cleanup occurs.

#### **[ 3.1.2.3 Stormwater Drainage**

There will be no discharge of excavation ground water to the sanitary sewer, storm drains, or to a river without prior specific authorization of the Contracting Officer in writing. Discharge of hazardous substances will not be permitted under any circumstances.

Construction site runoff will be prevented from entering any storm drain or river directly by the use of straw bales or other method suitable to the Contracting Officer. Contractor will provide erosion protection of the surrounding soils. ] ]

#### **3.1.3 Fish and Wildlife Resources**

Do not disturb fish and wildlife. Do not alter water flows or otherwise significantly disturb the native habitat adjacent to the

project and critical to the survival of fish and wildlife, except as indicated or specified.

### **3.2 HISTORICAL AND ARCHAEOLOGICAL RESOURCES**

Carefully protect in-place and report immediately to the Contracting Officer historical and archaeological items or human skeletal remains discovered in the course of work. Upon discovery, notify the Contracting Officer. Stop work in the immediate area of the discovery until directed by the Contracting Officer to resume work. The Government retains ownership and control over historical and archaeological resources.

### **3.3 EROSION AND SEDIMENT CONTROL MEASURES**

#### **3.3.1 Burnoff**

Burnoff of the ground cover is not permitted.

#### **[ 3.3.2 Protection of Erodible Soils**

Immediately finish the earthwork brought to a final grade, as indicated or specified. Immediately protect the side slopes and back slopes upon completion of rough grading. Plan and conduct earthwork to minimize the duration of exposure of unprotected soils.]

#### **3.3.3 Temporary Protection of Erodible Soils**

Use the following methods to prevent erosion and control sedimentation:

##### **3.3.3.1 Mechanical Retardation and Control of Runoff**

Mechanically retard and control the rate of runoff from the construction site. This includes construction of diversion ditches, benches, berms, and use of silt fences and straw bales to retard and divert runoff to protected drainage courses.

##### **[ 3.3.3.2 Sediment Basins**

Trap sediment in [ temporary ][ permanent ] sediment basins. [ Select a basin size to accommodate the runoff of a local [ \_\_\_\_ ]-year storm. ] Pump dry and remove the accumulated sediment, after each storm. Use a paved weir or vertical overflow pipe for overflow. Remove collected sediment from the site. Institute effluent quality monitoring programs. ]

##### **3.3.3.3 Vegetation and Mulch**

Provide temporary protection on sides and back slopes as soon as rough grading is completed or sufficient soil is exposed to require erosion protection. Protect slopes by accelerated growth of permanent vegetation, temporary vegetation, mulching, or netting. Stabilize slopes by hydroseeding, anchoring mulch in place, covering with anchored netting, sodding, or such combination of these and other methods necessary for effective erosion control.

a. Seeding: Provide new seeding where ground is disturbed. Include topsoil or nutriment during the seeding operation necessary to [ establish ][ reestablish ] a suitable stand of grass. ]

### **3.4 CONTROL AND DISPOSAL OF SOLID WASTES**

Pick up solid wastes, and place in covered containers which are regularly emptied. Do not prepare or cook food on the project site. Prevent contamination of the site or other areas when handling and disposing of wastes. At project completion, leave the areas clean. Recycling is encouraged and can be coordinated with the Contracting Officer and the activity recycling coordinator. Remove all solid waste ( including non-hazardous debris ) from Government property and dispose off-site at an approved landfill. Solid waste disposal off-site must comply with most stringent local, State, and Federal requirements including 40 CFR 241, 40 CFR 243, and 40 CFR 258.

#### **[ 3.4.1 Dumpsters**

Equip dumpsters with a secure cover and paint the standard base color. Keep cover closed at all times, except when being loaded with trash and debris. Locate dumpsters behind the construction fence or out of the public view. Empty site dumpsters at least once a week or as needed to keep the site free of debris and trash. If necessary, provide [ 208 liter ][ 55 gallon ] trash containers painted the darker base color to collect debris in the construction site area. Locate the trash containers behind the construction fence or out of the public view. Empty trash containers at least once a day. For large demolitions, large dumpsters without lids are acceptable but should not have debris higher than the sides before emptying. ]

### **3.5 CONTROL AND DISPOSAL OF HAZARDOUS WASTES**

#### **3.5.1 Hazardous Waste/Debris Management**

The Contractor will identify all construction activities, which will generate hazardous waste/debris. The Contractor must provide a documented waste determination for all resultant waste streams. Hazardous waste/debris will be identified, labeled, handled, stored, and disposed of in accordance with all Federal, State, and local regulations including 40 CFR 261, 40 CFR 262, 40 CFR 263, 40 CFR 264, 40 CFR 265, 40 CFR 266, and 40 CFR 268. Hazardous waste will also be managed in accordance with the approved Hazardous Waste Management Section of the Environmental Protection Plan. Store hazardous wastes in approved containers in accordance with 49 CFR 173 and 49 CFR 178. Hazardous waste generated within the confines of Government facilities will be identified as being generated by the Government. Prior to removal of any hazardous waste from Government property, all hazardous waste manifests must be signed by activity personnel from the Station Environmental Office. No hazardous waste will be brought onto Government property. Provide to the Contracting Officer a copy of waste determination documentation for any solid waste streams that have any potential to be hazardous waste or contain any chemical constituents listed in 40



CFR 372-SUBPART D. For hazardous wastes spills, verbally notify the Contracting Officer immediately.

**3.5.1.1 Regulated Waste Storage/Satellite Accumulation/90 Day Storage Areas**

If the work requires the temporary storage/collection of regulated or hazardous wastes, the Contractor will request the establishment of a Regulated Waste Storage Area, a Satellite Accumulation Area, or a 90 Day Storage Area at the point of generation. The Contractor must submit a request in writing to the Contracting Officer providing the following information:

Contract Number _____	Contractor _____
Haz/Waste or Regulated Waste POC _____	Phone Number _____
Type of Waste _____	Source of Waste _____
Emergency POC _____	Phone Number _____

**Location of the Site:** \_\_\_\_\_  
(Attach Site Plan to the Request)

Attach a waste determination form. Allow ten working days for processing this request.

[ **3.5.1.2 Sampling and Analysis of HW**

a. **Sampling**

The Contractor will sample waste in accordance with EPA SW-846. Each sampled drum or container will be clearly marked with the Contractor's identification number and cross-referenced to the chemical analysis performed.

b. **Analysis**

The Contractor will follow the analytical procedure and methods in accordance with the 40 CFR 261. The Contractor will provide all analytical results and reports performed to the Contracting Officer

c. **Analysis Type**

Identification of waste hazardous material/hazardous waste will be accomplished by analyzing for the following properties as a minimum: ignitability, corrosiveness, total chlorides, BYTU value, PCBs, TCLP for heavy metals, and cyanide. ]

[ **3.5.1.3 Asbestos Certification**

a. Asbestos containing material: Items, components, or materials which are specified to be worked on under this contract [ do ] [ do not ] involve asbestos. Other materials especially thermal insulation, in the general work area may [ also ] contain asbestos. All thermal insulation, in all work areas should be considered to be

asbestos unless positively identified by conspicuous tags or previous laboratory analysis certifying asbestos free. The Contractor will not remove or perform work on any such materials without the prior approval of the Contracting Officer. The Contractor will not engage in any activity, which would remove or damage such materials or cause the generation of fibers from such materials. The Contractor will immediately stop all work which would generate further damage to the material, evacuate the potential asbestos exposed area, and notify the Contracting Officer for resolution of the situation prior to resuming normal work activities in the affected area. ]

[ **3.5.1.4 Hazardous Waste Disposal**

**COMPLETE AS APPLICABLE WITH THE DETAILS OF THE CONTRACT. THE SECTIONS WITH ( ) SHOULD BE MARKED AS APPLICABLE WITH AN 'X'.**

Controlled of stored waste, packaging, sampling, analysis, and disposal will be determined by the details in the contract. The requirements for jobs in the following paragraphs will be used as the guidelines for disposal of any hazardous waste generated.

**(a) Responsibilities for Contractor's Disposal**

Any generation of WHM/HW requiring Contractor disposal of solid waste or liquid.

a. The Contractor agrees to provide all service necessary for the final treatment/disposal of the hazardous material/waste in accordance with all local, State and Federal laws and regulations, and the terms and conditions of the contract within sixty ( 60 ) days after the materials have been generated. These services will include all necessary personnel, labor, transportation, packaging, detailed analysis ( if required for disposal, and/or transportation, including manifesting or completing waste profile sheets, equipment, and the compilation of all documentation is required ).

b. Contain all waste in accordance with 40 CFR 260, 40 CFR 261, 40 CFR 262, 40 CFR 263, 40 CFR 264, 40 CFR 265, 40 CFR 266, 40 CFR 268, 40 CFR 270, 40 CFR 272, 40 CFR 273, 40 CFR 279, 40 CFR 280, and 40 CFR 761.

c. Control and turn in all hazardous waste requiring disposal in accordance with Norfolk Naval Shipyard Recovery Material Instruction contained in this specification entitled "Contractor Disposal Turn-In Requirements".

d. Obtaining a representative sample of the material generated for each job done to provide waste stream determination.

e. Analyzing for each sample taken and providing analytical results to the Contracting Officer. Provide two copies of the results.

f. Determine the DOT proper shipping names for all waste (each container requiring disposal) and will demonstrate how this

determination is developed and supported by the sampling and analysis requirements contained herein to the Contracting Officer for Code [ \_\_\_\_ ] review.

#### Government Responsibilities

To review all documentation submitted by the Contractor for accuracy. Provide guidance to the Contractor in reference to environmental compliance.

#### Interim Waste Generation Site for Contractor Disposal of WHM/HW

The Contractor will request approval of the Government for an area suitable for packaging WHN/HW requiring disposal. The Contractor will comply with the requirements of the Virginia Department of Waste Management Regulations. The area will be barricaded and a sign identifying as follows:

Signage- "DANGER - UNAUTHORIZED PERSONNEL KEEP OUT"

With additional custody sign indicating:

- (1) Site #
- (2) Controlled by  
Call Mr./Ms. [ \_\_\_\_ ] at \_\_\_\_\_

Barricade Type: Yellow and black three ( 3 ) inch plastic tape. Corner barricades will be provided by the Government.

#### Contractor Disposal Turn-In Requirements

For any waste hazardous materials or hazardous waste generated which requires the Contractor to dispose of, the following conditions must be complied with:

a. Call Code [ \_\_\_\_ ] dispatcher, at phone [ \_\_\_\_ ] and provide the following information:

- (1) Your name and company
- (2) Service/contract number
- (3) ROICC/Code [ \_\_\_\_ ] number
- (4) Telephone number where you can be reached
- (5) Material requiring disposal
- (6) Location of material
- (7) Volume of material in each container

b. All material must meet the following conditions in order to be acceptable for disposal

- (1) Drums compatible with waste contents and drums meet DOT requirements for 49 CFR 173 for transportation of materials.

(2) Drums banded to wooden pallets. No more than three ( 3 ) 55 gallon drums to a pallet, or two ( 2 ) 85 gallon over packs.

(3) Band using 1-1/4 inch minimum band on upper third of drum.

(4) Recovery materials label ( provided by Code [ \_\_\_\_ ] ) located in middle of drum, filled out to indicate actual volume of material, name of material manufacturer, other vendor information as available.

(5) Always have three ( 3 ) to five ( 5 ) inches of empty space above volume of material. This space is called 'outage'.

#### **(b) Responsibilities for Government's Disposal**

Any generation of WHM/HW requiring Government disposal of solid waste or liquid.

#### Contractor's Representative

a. Contain all waste in accordance with 40 CFR 260, 40 CFR 261, 40 CFR 262, 40 CFR 263, 40 CFR 264, 40 CFR 265, 40 CFR 266, 40 CFR 268, 40 CFR 270, 40 CFR 271, 40 CFR 272, 40 CFR 273, 40 CFR 279, 40 CFR 280, and 40 CFR 716.

b. Control and turn-in all hazardous waste requiring disposal in accordance with NNSY Recovery Material Instruction contained in the specification entitled "Government Disposal Turn-In Requirements".

c. Providing identification of material requiring disposal to permit safe opening, storage and handling by the Government.

#### Government Responsibilities

a. Sample material requiring disposal.

b. Analyzing each sample taken.

c. Determine the DOT proper shipping names for all waste ( each container requiring disposal ) and will demonstrate how this determination is developed and supported by the sampling and analysis requirements.

d. Accepting and disposing of all WHM/HW/HW properly turned in by the Contractor for disposal.

#### Acceptance of WHM/HW for Disposal

Upon completion of all above applicable requirements ( i.e., sample, analysis, identification, packaging, etc. ), the Contractor will notify the Contracting Officer three ( 3 ) working days in advance for review and acceptance by the Environmental Programs Division,

Code [ \_\_\_\_ ]. The Contractor will correct all discrepancies not conforming to this contract at his expense. Upon acceptance by the Environmental Programs, the waste will be removed from the Contractor's work site within three ( 3 ) days.

#### Interim Waste Generation Site for Government Disposal of WHM/HW

The Contractor will request approval of the Government for an area suitable for packaging WHM/KHW requiring disposal. The area will be barricaded and a sign identifying as follows:

Signage- "DANGER - UNAUTHORIZED PERSONNEL KEEP OUT"

With additional custody sign indicating:

- (1) Site #
- (2) Controlled by
- (3) Call Mr./Ms. [\_\_\_\_] at \_\_\_\_\_

Barricade Type: Yellow and black three ( 3 ) inch plastic tape. Corner barricades will be provided by the Government.

#### Government Disposal Turn-In Requirements

a. Call Code [ \_\_\_\_ ] dispatcher, at telephone [ \_\_\_\_\_] and provide the following information:

- (1) Your name and company
- (2) Service/contract number
- (3) ROICC/Code [ \_\_\_\_ ] contact number
- (4) Telephone Number where you can be reached
- (5) Material requiring disposal
- (6) Location of material
- (7) Volume of material in each container

b. All material must meet the following conditions in order to be acceptable for disposal:

- (1) Drums compatible with waste contents and drums meet DOT requirements for 40 CFR 173 for transportation of materials.
- (2) Drums banded to wooden pallets. No more than three
- (3) 55 gallon drums to pallet, or two ( 2 ) 85 gallon over packs.
- (3) Band using 1-1/4 inch minimum band on upper third of drum.
- (4) Recovery materials label ( provided by Code [ \_\_\_\_ ] ) located in middle of drum, filled out to indicate actual

volume of material, name of material manufacturer, other vendor information as available.

(5) Always have three ( 3 ) to five ( 5 ) inches of empty space above volume of material. This space is called 'outage'.

(6) Code [ \_\_\_\_ ] must be notified within 24 hours of filling any drum of material requiring disposal. Date on recovery material label will be Code [ \_\_\_\_ ] notification date. ]

### **3.5.2 Pollution Prevention/Hazardous Waste Minimization**

The Contractor will actively pursue minimizing the use of hazardous materials and the generation of hazardous waste while on-base. The Hazardous Waste Management Section of the Environmental Protection Plan will include the Contractor's procedures for pollution prevention/hazardous waste minimization. For preparing this part of the plan, the Contractor may consult the activity Environmental Office for suggestions and to obtain a copy of the installation's pollution prevention/hazardous waste minimization plan for reference material. If no written plan exists, the Contractor may obtain information by contacting the Contracting Officer. The Contractor will describe the types of the hazardous materials expected to be used in the construction when requesting information.

### **3.5.3 Hazardous Material Control**

The Contractor will include hazardous material control procedures in the Safety Plan. The procedures will address and ensure the proper handling of hazardous materials, including the appropriate transportation requirements. The Contractor will submit a MSDS and estimated quantities to be used for each hazardous material to the Contracting Officer prior to bringing the material on base. Typical materials requiring MSDS and quantity reporting include, but are not limited to, oil and latex based painting and caulking products, solvents, adhesives, aerosol, and petroleum products. At the end of the project, the Contractor will provide the Contracting Officer with the maximum quantity of each material that was present at the site at any one time, the dates the material was present, the amount of each material that was used during the project, and how the material was used. The Contractor will also ensure that hazardous materials are utilized in a manner that will minimize the amount of hazardous waste that is generated. The Contractor will ensure that all containers of hazardous materials have NFPA labels or their equivalent. Copies of the MSDS for hazardous materials will be kept on site at all times and provided to the Contracting Officer at the end of the project. The Contractor will certify that all hazardous materials removed from the site are hazardous materials and do not meet the definition of hazardous waste per 40 CFR 261.

### **3.5.4 Petroleum Products**

Conduct the fueling and lubricating of equipment and motor vehicles in a manner that protects against spills and evaporation. All used oil generated on site will be managed in accordance with 40 CFR 279.

The Contractor will determine if any used oil generated while on-site exhibits a characteristic of hazardous waste. In addition, used oil containing 1000 parts per million of solvents will be considered a hazardous waste and disposed of at Contractor's expense. Used oil mixed with a hazardous waste will also be considered a hazardous waste. All hazardous waste will be managed in accordance with the paragraph entitled Hazardous Waste/Debris Management of this section and will be managed in accordance with the approved Environmental Protection Plan.

#### **3.5.5 Releases/Spills of Oil and Hazardous Substances**

Take precautions to prevent releases/spills of oil and hazardous substances. In the event of any releases of oil and hazardous substances, chemicals, or gases; immediately ( within 15 minutes ) notify the Base or Activity Fire Department, the activity's Command Duty Officer, and the Contracting Officer. The Contractor is responsible for verbal and written notifications as required by the federal 40 CFR 355, State, local regulations and Navy Instructions. Spill response will be in accordance with 40 CFR 300 and applicable State and local regulations. Contain and clean up these spills without cost to the Government. If Government assistance is requested or required, the Contractor will reimburse the Government for such assistance. Provide copies of the written notification and documentation that a verbal notification was made within 20 days.

#### **3.6 DUST CONTROL**

Keep dust down at all times, including during nonworking periods. Sprinkle or treat, with dust suppressants, the soil at the site, haul roads, and other areas disturbed by operations. Dry power brooming will not be permitted. Instead, use vacuuming, wet mopping, wet sweeping, or wet power brooming. Air blowing will be permitted only for cleaning non-particulate debris such as steel reinforcing bars. Only wet cutting will be permitted for cutting concrete blocks, concrete, and bituminous concrete. Do not unnecessarily shake bags of cement, concrete mortar, or plaster.

#### **3.7 ABRASIVE BLASTING**

##### **3.7.1 Blasting Operations**

The use of silica sand is prohibited in sandblasting.

Provide tarpaulin drop cloths and windscreens to enclose abrasive blasting operations to confine and collect dust, abrasive, agent, paint chips, and other debris. [ Perform work involving removal of hazardous material in accordance with 29 CFR 1910. ]

##### **3.7.2 Disposal Requirements**

Submit analytical results of the debris generated from abrasive blasting operations per paragraph entitled Laboratory Analysis of this section. Hazardous waste generated from blasting operations will be managed in accordance with paragraph entitled "Hazardous Waste\Debris Management" of this section and with the approved HWMP. [ Disposal of non-hazardous abrasive blasting debris will be in

accordance with paragraph entitled, "Control and Disposal of Solid Wastes". ]

### **3.8 NOISE**

Make the maximum use of low-noise emission products, as certified by the EPA. Blasting or use of explosives will not be permitted without written permission from the Contracting Officer, and then only during the designated times. [ Confine pile-driving operations to the period between 8 a.m. and 4 p.m., Monday through Friday, exclusive of holidays, unless otherwise specified. ]

### **3.9 CONTROL AND DISPOSAL OF [ IONIZATION SMOKE DETECTORS ][ TRITIUM EXIT SIGNS ]**

#### **3.9.1 Material Bagging**

Remove existing [ ionization smoke detectors ][ and ][ tritium exit signs, ] and place like types together; i.e., same manufacturer and model number, in a plastic bag. Provide a label on the bag with the following data:

Manufacturer:_____	Activity:_____
Model No.: _____	Contract No.:_____
Isotope/Quantity ( if known ):_____	

#### **3.9.2 Material Storage**

Store plastic bags in 55-gallon covered drum(s). Do not seal the drum(s). Provide a label entitled "RADIOACTIVE" and storage inventory form applied to exterior surface of the cover and side of the drum(s). Provide a record copy, with the following data [ \_\_\_\_ ] for each drum storage inventory to the Contracting Officer, [ the RASO [ at COMNAVREG ] ], and [\_\_\_\_\_].

#### **3.9.3 Storage Site and Disposal**

Deliver drums to [ \_\_\_\_\_ ] for storage and disposal of [ ionization smoke detectors ][ and ][ tritium exit signs ][ as directed by the Contracting Officer ].

#### **3.9.4 Storage and Disposal by Contractor**

The Contractor will be responsible for storage and disposal of [ ionization smoke detectors ][ and ][ tritium exit signs ] in accordance with Federal, State and local laws and regulations.

--END OF SECTION--